

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

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Lorenzo Jeter,

Plaintiff,

vs.

Nancy A. Berryhill, Acting Commissioner
of Social Security,

Defendant.

Civil Action No. 2:17-3029-RMG

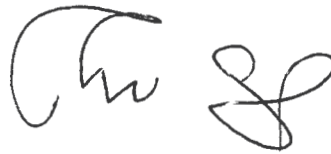
ORDER

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Supplemental Security Income ("SSI"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation ("R & R") on October 12, 2018, recommending that the decision of the Commissioner be reversed and remanded to the agency because of the failure of any fact finder to weigh and reconcile new and material evidence provided for the first time to the Appeals Council, as mandated under these circumstances by *Meyer v. Astrue*, 662 F.3d 700, 707 (4th Cir. 2011). (Dkt. No. 18 at 5-12). The Commissioner has advised the Court that she does not intend to file objections to the R & R. (Dkt. No. 19).

The Court has reviewed the R & R and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the Report and Recommendation as the order of this Court, **REVERSES** the decision

of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a series of loops and a final flourish.

Richard Mark Gergel
United States District Judge

Charleston, South Carolina
October 26, 2018